



Ninety-Ninth Legislature - First Session - 2005
Introducer's Statement of Intent
LB 700

Chairperson: Patrick J. Bourne
Committee: Judiciary
Date of Hearing: February 11, 2005

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 700 is intended to clarify and enhance the authority of the Nebraska Unicameral to regulate and prescribe the sanctions for individuals or entities that engage in the unlawful practice of law. It has been the policy of Nebraska virtually since statehood that the authority to regulate the unlawful practice of law is the prerogative of the legislative branch. It is the intent and purpose of LB 700 to in no way disturb or interfere with the power and authority of the Nebraska Supreme Court to oversee and prescribe the admission and regulation of those individuals permitted to practice law in this state. LB 700 recognizes and reasserts in statute the respective authority and responsibility the Executive, Judicial and Legislative branches of state government possess in regard to the regulation of the practice of law and the sanctions to be imposed on those who engage in the unauthorized practice of law in Nebraska.

LB 700 provides additional authority to the Nebraska Attorney General to investigate and act upon complaints relating to the unauthorized practice of law. The Attorney General may, after investigation and review of complaints relating to the unlawful practice of law, seek criminal prosecution or civil injunctive relief as deemed appropriate.

LB 700 reaffirms and enhances legislative policy that promotes the public interest in providing Nebraska consumers of legal services protection from those that would engage in the unlawful practice of law. LB 700 reaffirms the longstanding public policy of this state that the unlawful practice of law is: 1) an offense that is specifically defined, with penalties prescribed, by the legislative branch; 2) administered and prosecuted by the executive branch; and 3) adjudicated, with penalties imposed upon the guilty, by the judicial branch.

Principal Introducer: _____
Senator John Synowiecki